

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

Case No. 08 C 1559Return Date 6/10/08

**ANSWER OF THIRD PARTY RESPONDENT / GARNISHEE DEFENDANT**

ROBERT G. MARKOFF, certifies under penalty of perjury pursuant to §1-109 of the Illinois Code of Civil Procedure that the following statements are true and correct:

- I. Respondent has no property of the Defendant in its possession.
- II. Respondent has no knowledge of any assets or income belonging to the Defendant.
- III. ☒ Respondent has property that belongs or may belong to the Defendant as follows:

	DEFENDANT'S BALANCE	AMOUNT WITHHELD
A) Savings Account \$		
B) Checking and/or Now Account \$	1508.66	1508.66
C) Certificate of Deposit \$		
D) Money Market Account \$		
E) Trust Account \$		
F) Wages, Salary or Commissions \$		
G) Safety Deposit Box		
H) Land Trust No.		
I) Other Property (Describe)		
J) Additional Information Relating to Debtor's Property:		

1. Adverse Claimant: Name \_\_\_\_\_ Address \_\_\_\_\_
2. Right of Set Off: Basis \_\_\_\_\_ Amount: \_\_\_\_\_
3. Exemption: Basis \_\_\_\_\_ Amount: \_\_\_\_\_

Total of funds in Respondent's possession available to be applied to the judgment: \$ 1508.66

According to the records maintained by the Respondent, the above information is correct as of this date 5/28/08

A copy of this Answer was mailed to the Defendant.

Respondent/Agent (Type or Print):

Agent Name ROBERT G. MARKOFF

Business Name BAKER, MILLER, MARKOFF & KRASNY, LLC

Address 29 N. WACKER DRIVE, 5th FLOOR

CHICAGO, IL 60606

Phone (312) 698-7263

Fax (312) 698-7325

Agent for Respondent / Garnishee

NOTE: A copy of this Answer should be mailed to the Court, Attorney for Plaintiff or Judgment Creditor and to the Defendant. If necessary, you may attach further information or explanations as may be required to answer the Citation To Discover Assets.

**FILED**

JUN 09 2008 TC

JUN 09 2008

MICHAEL W. GOSBING  
CLERK, U.S. DISTRICT COURT

<b>RECEIVED</b>		
Roberto R. Herencia		
MAY 23 2008		
Ans.	File	Ref. To:

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

LABORERS' PENSION FUND, et al.,	)	
Plaintiffs Judgment Creditors,	)	
v.	)	
	)	
AYALA BROS. CONSTRUCTION CO., INC.,	)	Case No. 08 C 1559
Defendant Judgment Debtor,	)	
and,	)	Judge Holderman
	)	
BANCO POPULAR N.A.,	)	
Third Party Citation Respondent.	)	

**THIRD PARTY CITATION TO DISCOVER ASSETS**

<b>Address of Judgment Debtor:</b>	<b>Name and Address of Attorney for Judgment Creditors</b>
Ayala Bros. Construction Co., Inc.	Jerrold Olszewski, Office of Fund Counsel
c/o Gerardo Ayala, President	LABORERS' PENSION AND WELFARE FUNDS
3600 S. Albany	111 W. Jackson Blvd., Suite 1415
Chicago, IL 60632	Chicago, IL 60604

Amount of Judgment: \$8,250.57 (Judgment Order dated May 6, 2008)

TO: Banco Popular N.A., c/o Mr. Richard L. Carrion, Chief Executive Officer,  
9600 West Bryn Mawr, Rosemont, IL 60018

Return date and time: Tuesday, June 10, 2008 at 1:00 p.m.

Location: Laborers' Pension and Welfare Funds, Office of Funds Counsel, 111 W. Jackson  
Blvd., Suite 1415, Chicago, IL 60604, (312) 692-1540

**YOUR FAILURE TO APPEAR AS HEREIN DIRECTED MAY CAUSE YOU TO BE  
ARRESTED AND BROUGHT BEFORE THE COURT TO ANSWER TO A CHARGE  
OF CONTEMPT OF COURT, WHICH MAY BE PUNISHABLE BY IMPRISONMENT**

<b>RECEIVED</b>	
MAY 27 2008	
BY 	